

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BEN WASHINGTON, individually and on
behalf of the class defined herein,

Plaintiff,

v.

NORTH STAR CAPITAL ACQUISITION
LLC,

Defendant.

) Case No.: 08 CV 2823

) Judge Kocoras

AGREED MOTION FOR AN ENLARGEMENT OF TIME

Defendant, North Star Capital Acquisition, LLC ("North Star") by and through its attorneys, David M. Schultz and Corinne C. Heggie pursuant to Rule 6 and for its Agreed Motion for an Enlargement of Time to file its responsive pleading to plaintiff's Complaint, states as follows:

1. On or about May 15, 2008, plaintiff filed a class action Complaint against defendant alleging that defendant violated the Fair Debt Collection Practices Act, ("FDCPA").
2. On June 5, 2008, defendant moved for an initial enlargement of time to file its responsive pleading. The motion was granted. Defendant's responsive pleading is due July 2, 2008.
3. Since receiving this case, defense counsel has been diligently working with its client to obtain all the necessary information in its possession related to the allegations made in the complaint. The allegations involve claims under the FDCPA as well as two Illinois statutes, the Illinois Collection Agency Act ("ICAA") and the Consumer Fraud Act ("CFA") concerning a pleading filed in a state court collection case. At the time this motion is filed, defense counsel has not received all the information from the client to permit her to prepare a response to plaintiff's complaint.

4. Defense counsel will also be out of town from July 2, 2008 until July 6, 2008 for the Fourth of July holiday.

5. Additionally, defense counsel has responsive pleadings due in *Chinita Washington, et al. v. RJM Acquisitions*, 08cv2525 (J. Aspen) on July 14, 2008, *Cynthia Schwartz v. Atlantic Credit*, 08cv2820 (J. Dow) on July 15, 2008, *Maria Raygoza v. First Resolution*, 08cv2891 (J. Moran) on July 18, 2008 and *Timothy Aspan v. Hudson Keyse, LLC*, 08cv2827 (J. Hart) on July 23, 2008. Counsel has a pre-trial order due on July 22, 2008 in the case of *Ramirez v. Palisades Collection, LLC*, 07cv3840 (J. Conlon).

6. On June 26, 2008, defense counsel discussed the additional time with counsel for the plaintiff. Counsel for the plaintiff has (no objection/an objection) to the relief sought herein.

7. This time is not meant for the purpose of unnecessary delay and will not prejudice any party to the litigation. The parties initial status is schedule for July 31, 2008.

WHEREFORE, Defendant, North Star Capital Acquisition, LLC, respectfully, requests that this Court grant it an additional 23 days, up to and including July 25, 2008, to file its responsive pleading to plaintiff's Complaint.

Respectfully Submitted,

s/Corinne C. Heggie
One of the attorneys for Defendant,
North Star Capital Acquisition, LLC

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